

**PETITION FOR CONTEMPT
(DENIAL OF VISITATION)
INSTRUCTIONS FOR COMPLETING DOM REL 3**

If you have a court order granting you visitation and the person with custody has denied you visitation, you may ask the court to enforce its order so that you can see the child(ren), filing either through an attorney or by yourself. DOM REL forms were developed to assist persons deciding to proceed alone, but you are urged to consider carefully the importance of getting help.

There are 5 steps you must follow in order to proceed with the case yourself:

> STEP 1 — Completion of Form DOM REL 3.

Use this form **only** if there already is a court order that allows you visitation. To complete this form, **you will need a copy of that order**. If you do not have a copy, ask the Clerk of Court how to get one.

Court: Fill in the name of the County (or Baltimore City) where you intend to file your case. See ***General Instructions***.

Case No., Plaintiff and Defendant: Fill in the case number, Plaintiff's name and Defendant's name ***exactly*** as they appear on the order. Fill in the ***current*** address and telephone number for both.

Print your name in the space provided above item 1.

Item 1: Looking at the order, fill in the date, the city or county where the order was granted, and the case number.

Item 2: For the court to find the other person in contempt, he/she must have **already** denied you visitation. Explain in detail the dates and events surrounding the denial of your visitation.

Item 3: Fill in the last date that you were allowed to visit with the child(ren).

Item 4: Fill in the name of the person with custody.

Item 5: Circle whether you do or do not want the court to order jail time to enforce its order.

FOR THESE REASONS: Fill in the name of the person with custody. Then state what you would like the court to do in addition to what is listed, if anything, but **remember that the court**

need not give you what you asked for.

Date and sign form DOM REL 3.

> STEP 2 — Completion of Top of a Show Cause Order.

Fill in **ONLY** the top of a Show Cause Order Form (DOM REL 53) and attach it to the petition (DOM REL 3). If the Court signs the Show Cause order, a copy will be mailed to you.

> STEP 3 — Filing Forms and Paying Filing Fee.

Take your completed forms to the Clerk of Court. Payment of a filing fee generally is required at this time. See ***General Instructions***.

> STEP 4 — Service.

You will need to serve the other side with the following papers which you have filed or which have been provided by the Court. See ***General Instructions***.

1. Petition for Contempt
2. Order to Show Cause completed and signed by a judge (This will be mailed to you if it is signed.)
3. Writ of Summons (if required by the Court)

> STEP 5 — Hearing.

If the court signs the show cause order, a copy of it will be mailed back to you. The court will have filled in the court date. Make sure you attend that day. See page 5 of ***General Instructions***
- What Happens in Court?

Circuit Court for _____ Case No. _____
City or County

Name

Name

VS.

Street Address Apt. #

Street Address Apt. #

City State Zip Code () Area Telephone Code

City State Zip Code () Area Telephone Code

Plaintiff

Defendant

PETITION FOR CONTEMPT
(Denial of Visitation)
(DOM REL 3)

I, _____, representing myself, state that:
My name

1. On _____ the Circuit Court for _____ issued
Date City or County
an order in case number _____, granting me visitation.

2. Since then, I have been denied visitation with the child(ren) as ordered. The details of the denial(s) are:

3. I last visited with the child(ren) on _____
Date

4. _____ is now in contempt for failing to obey the Order.

5. I do/ do not want the Court to order jail time to enforce its Order.
Name
(Check One)

FOR THESE REASONS, I request the Court issue a Show Cause Order, find
_____ in contempt, enforce visitation, and order any other
Name
appropriate relief relating to visitation with the child(ren), including:

Date

Signature

IMPORTANT: YOU MUST ATTACH A SHOW CAUSE ORDER TO THIS FORM
(Use Form DOM REL 53)

Circuit Court for _____ Case No. _____

City or County

VS.

Plaintiff's Name

Defendant's Name

SHOW CAUSE ORDER
(Form to be completed by Court)
(DOM REL 53)

UPON consideration of the Petition for Contempt and the facts asserted in the Petition, which are incorporated by reference herein, this Court ORDERS the ☐Plaintiff/☐Defendant, _____, to appear in person, in this Court for the following proceedings:

☐ PREHEARING CONFERENCE to be held on _____, _____ at _____ a.m./p.m. in Room _____ at _____.

☐ CONTEMPT HEARING to be held on _____, _____ at _____ a.m./p.m. in Room _____ at _____. This hearing will be held before a:

☐ MASTER, pursuant to Maryland Rule 9-208(a)(1)(G)

☐ JUDGE

and to show cause, if any, why the Plaintiff/Defendant should not be granted the relief requested in the Petition for Contempt, provided that a copy of the Petition for Contempt and this Order shall be served on the Plaintiff/Defendant or his/her attorney of record in the following manner:

_____ pursuant to Maryland Rule 15-206 on or before the _____ day of _____, _____. Any written answer shall be filed by the Plaintiff/Defendant on or before the _____ day of _____, _____.
.

NOTICE: If jail time is requested in the Petition, read the Notice on the back of the Show Cause Order.

Judge

Date

Serve on: _____

☐ Defendant
☐ Plaintiff

☐ Defendant's Attorney
☐ Plaintiff's Attorney

Address

****Failure to file proof of service may result in the dismissal of the Petition.****

****If the proposed Show Cause Order and Petition for Contempt are not served by the date indicated above, the Petitioner must request that the Show Cause Order be reissued. Failure to do so will result in the**

dismissal of the Petition for Contempt.**

NOTICE
(Jail Time Requested on Petition)
TO THE PERSON ALLEGED TO BE IN CONTEMPT OF COURT:

1. It is alleged that you have disobeyed a court order, are in contempt of court, and should go to jail until you obey the court's order.
2. You have the right to have a lawyer. If you already have a lawyer, you should consult the lawyer at once. If you do not now have a lawyer, please note:
 - (a) A lawyer can be helpful to you by:
 - (1) explaining the allegations against you;
 - (2) helping you determine and present any defense to those allegations;
 - (3) explaining to you the possible outcomes; and
 - (4) helping you at the hearing.
 - (b) Even if you do not plan to contest that you are in contempt of court, a lawyer can be helpful.
 - (c) If you want a lawyer but do not have the money to hire one, the Public Defender may provide a lawyer for you.
 - ▶ To find out if the Public Defender will provide a lawyer for you, you must contact the Public Defender after any prehearing conference or master's hearing **and at least 10 business days before the date of a hearing before a judge.**
 - ▶ If no prehearing conference or master's hearing is scheduled, you should contact the Public Defender as soon as possible, **at least 10 business days before the date of the hearing before the judge.**
 - ▶ The court clerk will tell you how to contact the Public Defender.
 - (d) If you want a lawyer but you cannot get one and the Public Defender will not provide one for you, contact the court clerk as soon as possible.
 - (e) **DO NOT WAIT UNTIL THE DATE OF YOUR COURT HEARING TO GET A LAWYER.** If you do not have a lawyer before the court hearing date, the judge may find that you have waived your right to a lawyer, and the hearing may be held with you unrepresented by a lawyer.
3. **IF YOU DO NOT APPEAR FOR A SCHEDULED PREHEARING CONFERENCE, MASTER'S HEARING OR COURT HEARING BEFORE THE JUDGE, YOU WILL BE SUBJECT TO ARREST.**